IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 10TH OCTOBER 2007 / 18TH ASWINA 1929

WP(C).No. 8919 of 2007(J)

PETITIONER:

SAHITHYA PRAVARTHAKA CO OPERATIVE SOCIETY, LTD.NO.2458, KOTTAYAM. REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.P.V.SURENDRANATH
SRI.P.V.DIBU

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY SECRETARY TO REVENUE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.**

2. **DEPUTY TAHSILDAR, REVENUE RECOVERY, KOTTAYAM.**

3. **THE REGIONAL JOINT LABOUR COMMISSIONER, (APPELLATE AUTHORITY UNDER THE PAYMENT OF GRATUITY ACT, 1972) ERNAKULAM.**

4. **DISTRICT LABOUR OFFICER, (CONTROLLING AUTHORITY UNDER THE PAYMENT OF GRATUITY ACT, 1972) KOTTAYAM.**

5. **SRI.M.G.KARTHIKEYAN, SREE NILAYAM, MANNANAM P.O., KOTTAYAM.**

BY ADV. SRI.H.B.SHENOY
SRI.B.ASHOK SHENOY
GOVERNMENT PLEADER SRI.NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.8919/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE REVENUE RECOVERY DEMAND NOTICE FOR ATTACHMENT OF IMMOVABLE PROPERTIES NO./C7)1) 940/07 ISSUED BY THE 2ND RESPONDENT.

EXT.P2:- COPY OF THE NOTICE DT. 6.3.07 ISSUED BY THE 2ND RESPONDENT.

EXT.P3:- COPY OF THE ORDER IN G.C. 4/03 DT. 25.11.05 PASSED BY THE 4TH RESPONDENT.

EXT.P4:- COPY OF THE APPEAL FILED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.

EXT.P5- COPY OF THE AFFIDAVIT ATTACHED TO THE EXEMPTING PETITION & STAY PETITION.

EXT.P6:- COPY OF THE SHOW CAUSE NOTICE ISSUED BY THE 4TH RESPONDENT DT. 7.2.06.

EXT.P7:- COPY OF THE EXPLANATION SUBMITTED BY THE PETITIONER.

EXT.P8:- COPY OF THE REPRESENTATION DT. 6.6.06 SUBMITTED BY THE PETITIONER.

EXT.P9:- COPY OF THE REPRESENTATION DT. 12.6.06 SUBMITTED BEFORE THE HONOURABLE MINISTER FOR CO-OPERATION.

ANNEXURE A1:- COPY OF THE RECEIPT DT. 28.4.07.

ANNEXURE A2:- COPY OF THE RECEIPT DT. 30.5.07.

ANNEXURE A3:- COPY OF THE RECEIPT DT. 30.6.07.

ANNEXURE A4:- COPY OF THE RECEIPT DT. 30.7.07.

ANNEXURE A5:- COPY OF THE RECEIPT DT. 31.8.07.

/TRUE COPY/

P.A. TO JUDGE

tss

V. GIRI ,J.

WP(C).NO.8919 of 2007

Dated this the 10th day of October, 2007

JUDGMENT

The petitioner essentially challenges Exts.P1 and P2 revenue recovery notices by which there is a demand of Rs.92,181/= with interest thereon. Though several contentions have been raised in this writ petition challenging Exts.P1 and P2, learned counsel for the petitioner Sri.Surendranath submits that the amount due under Exts.P1 and P2 will be paid by him provided some more time is granted. Pursuant to the interim order passed on 19.3.2007, an amount of Rs.50,000/= has already been paid by the petitioner at the rate of 10,000/= per month, according to him.

In the circumstances, this writ petition is disposed of directing the petitioner to pay the balance amount due as per Exts.P1 and P2 in four equal monthly instalments commencing from 1.11.2007. If there is default in the payment of the amount, this concession will stand withdrawn and the contesting respondents will be permitted to enforce Exts.P1 and P2.

V. GIRI, JUDGE

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